

STRATEGY RESEARCH PROJECT

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GAINING THE COOPERATION OF RELUCTANT ALLIES IN THE DRUG WAR

BY

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Lieutenant Colonel Thomas G. Keller

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ABSTRACT

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The illegal drug problem has been attacked from many angles, from interdiction to education, arguing whether the problem was rooted in supply or demand. Efforts were laudable, but execution flawed, resulting in limited success. In the past, we have attacked the drug problem in an uncoordinated fashion. That is, with little cooperation between source and user countries. Mr. Timothy E. Wirth, Under Secretary for Global Affairs points out that "We must have the cooperation of drug-producing and drug-transit countries. . . .". There's no better time than now to gain that *international cooperation* and execute a global drug strategy -- in the post cold-war era, where we're moving toward a global economy; a global environment; developing an interdependence between nations; and, literally breaking down walls. We must capitalize on the "new world order," taking advantage of opportunities provided across the spectrum -- diplomatic, political, economic, and military.

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INTRODUCTION

When was the last time you listened to the national news or read a newspaper that did not mention illegal drugs, or crime that was most probably connected to illegal drugs? The results of the first *Consult with America* poll reveals, when it comes to vital national concerns, "crime, violence, and drugs are at the forefront of the minds of millions of Americans."¹

Drug use, particularly among teens, is growing in the U.S. Courts, prisons, and social welfare systems are inundated with the residue of the drug crisis. Other nations are also impacted as well. Our neighbors to the south, Mexico, Colombia, Ecuador, Peru, and Bolivia are suffering the severe consequences of an economy and political system linked to illegal drug trade. Indeed, the drug war is inflicting casualties around the globe.

Actually, the drug war is more like a disease than a war. The current situation did not happen overnight and it will not be cured overnight. Realistically, it will take time. Experts agree that a "knockout cure" for the drug problem is unrealistic. There is no 100 percent solution. Our goal should just be to bring this escalating and seemingly unmanageable problem under control.² Unfortunately, our past efforts have failed to attain even that level of success.

We have attacked the illegal drug problem from many angles -- interdiction, eradication, enforcement, treatment, rehabilitation, education, etc. We have argued whether the drug problem is rooted in the supply of drugs from foreign source countries or the demand of the U.S. market. All of the above efforts are relevant and laudable. However, they have resulted in limited success in reducing the negative impact of illegal drug trafficking. It's not that the efforts were flawed, but how we went about executing those efforts.

In the past, we attacked the drug problem in an uncoordinated fashion. That is, with little *cooperation* between source countries and user countries.

We both have a problem that is creating havoc on our nations. And, we must combine efforts to resolve it. We must establish a multinational coalition effort in the fight against drugs. As partners, we must intensify our efforts to reduce the impact of illegal drugs.

Mr. Timothy E. Wirth, Under Secretary for Global Affairs points out that "We must have the cooperation of drug-producing and drug-transit countries. . . ." ³ There is no better time than now to establish a climate of *international cooperation* and execute a global counterdrug strategy -- in the post cold-war era, where we are moving toward a global economy; a global environment; developing an interdependence between nations; and literally breaking down walls. We must capitalize on the "new world order" and take advantage of the opportunities provided across the spectrum -- diplomatic, political, economic, and military.

The purpose of this paper is to propose such a strategy which emphasizes a shift from one of independent unilateral attacks on supply and demand reduction to a strategy which recognizes the role of *foreign policy* and *international cooperation* between nations who will mutually benefit from the resolution of the illegal drug crisis.

First however, we need to consider in what manner and to what degree the illegal drug problem impacts on the U.S. and the rest of the world, and what current efforts are being made to deal with the problem.

THE IMPACT OF ILLEGAL DRUGS

The drug problem has the potential to inflict staggering economic and social costs on the U.S. as well as undermining the political and economic stability of many of our foreign allies and other countries. ⁴

According to a recent Gallop poll, 45 percent of Americans report that either they, someone in their family, or a close friend has used illegal

drugs. Drug use among American youth is on the rise. Recent surveys indicate a 50 percent increase between 1992 and 1994. Further, drug abuse is a major cause of poverty and increasing welfare costs.⁵ The 1996 White House Drug Control Strategy Report indicates that 3.5 million Americans use or are addicted to illegal drugs. Last year forty-one thousand babies were born addicted to drugs, and finally, 6,000 Americans died.⁶

Drug cases clog the court systems. Those convicted, routinely receive probation since our jails and prisons are at capacity.⁷ One in four drug users are classified as "hard core drug abusers." These individuals consume the majority of the drugs and are responsible for the majority of the drug-related crimes. A 1996 Justice Department report calculated crime costs at \$450 billion a year with drugs accounting for two-thirds of that total or \$300 billion.⁸ And that's just the impact in America.

THE IMPACT OF ILLEGAL DRUGS ON SOURCE COUNTRIES

There are those who would argue that the drug producing and trafficking or source countries do not have a drug problem. This is simply not true when one considers second and third-order effects. The drug producing countries experience corruption in their leadership, governments, and military. Their economies become reliant on the illegal drug market and governments are controlled by drug cartels.

The power and wealth of the illegal drug industry erodes the democratic foundations of the source countries and jeopardizes our diplomatic and economic relations with the legitimate governments. The drug industry owns or controls entire provinces and there is no limit on how high key drug figures can infiltrate government.⁹ They advance their interests through corruption and intimidation. They promote the idea that the illegal drug business is economically beneficial to the country. However, research shows that it is a long-term net drain on their economy.¹⁰ And so it can be argued that source

countries do in fact have a drug problem. A problem that in the long term will devastate their economy, their government, and ultimately their nation.

A NATIONAL SECURITY ISSUE AND A VITAL INTEREST

National Security Strategy is intended to protect our national interests and to maintain the well-being of American citizens. When asked to rank foreign policy goals, 85 percent of the American public placed "stopping the flow of drugs" at the top of the list.¹¹ As we struggle to define our national security interests in the post Cold War environment, the drug problem deserves our attention.

In the past five years, the drug problem has been clearly defined as a national security threat to the U.S. Two factors give drugs national security status. First, most of the illegal drugs in the U.S. are produced or trafficked by other nations. Second, and perhaps more importantly when the global environment is factored in, narcotics production and trafficking is more and more a threat to foreign governments and economies that are important to the U.S. and its national security strategy of engagement, enlargement and democratization.¹² Further, the Institute for National Strategic Studies' *1997 Strategic Assessment* indicates that "the harm done by the illegal drug activities of international organized crime poses the greatest threat to American national security interests."¹³

Our current National Security Strategy provides limited guidance on counter drug efforts. However, it does address some key issues. Perhaps the most important is where it indicates a "new approach" where the Administration will better integrate domestic and international activities. Previously, domestic and international efforts have been mostly independent. It addresses attacking the drug cartels by combating money laundering and undercutting their financial underpinnings by freezing their assets. This should be very

effective because it attacks the supply side's center of gravity -- the leadership of the drug cartels. And, it shifts the interdiction effort from the borders to the source of production where efforts will result in greater impacts.

National security interests can be addressed on an increasing scale from peripheral, to important, to vital, and finally to survival. It can be argued that the drug problem is a "vital" security interest to the U.S. Presidents Reagan, Bush, and Clinton have all identified the drug problem as a vital interest of the United States.¹⁴ In his book, *America Over Committed*, Donald E. Nuechterlein characterizes a vital interest as an interest which will result in serious harm to the security and well-being of the nation if strong measures are not taken by the government within a short period of time.¹⁵ Unresolved, the drug problem will result in serious harm to the security and well-being of our nation, and further the global nation.

CURRENT EFFORTS AND STRATEGY

Current efforts to resolve the illegal drug problem have focused on supply and demand reduction efforts and which one will have the greatest affect on the drug problem. The supply/demand argument is a significant source of much debate during any discussion of the drug problem.

The *supply-side* argues that source countries are responsible for the drug problem and that if there were no drugs coming into the U.S., then we would not have a drug problem¹⁶. Our efforts at supply reduction have been extensive. We have endlessly pursued interdiction, eradication, crop substitution, and drug enforcement. Supply reduction efforts have seized and destroyed significant amounts of cocaine and marijuana, thus preventing the drugs from entering the U.S. However, the quantity that does enter the country is more than adequate to satisfy demand. It is therefore generally believed that supply reduction efforts have been relatively ineffective.

One of the major causes for the ineffectiveness of past supply reduction efforts lies in the fact that these efforts were carried out by the U.S. in a primarily unilateral fashion, viewing the drug problem from a U.S. perspective and principally ignoring the views, concerns, and interests of the source countries.

Due to the failure of past unilateral supply reduction efforts to significantly reduce the drug problem in the U.S., many experts would have us totally abandon future supply-side efforts and shift to a demand reduction strategy. While it is difficult to deny the importance and perhaps primacy of demand reduction, totally abandoning source country efforts would be an oversight.

The *demand-side* argues that consumer countries are responsible for the drug problem. It focuses on the demand for drugs in consumer countries, the largest being the United States. The demand argument asserts that as long as there is a demand for illegal drugs, there will be a supplier, and hence a drug problem. It is assumed that to reduce the drug problem, we must reduce demand. To eliminate the drug problem, we must eliminate demand. In other words, if there were no demand, we would not have a drug problem.

Unfortunately, demand reduction efforts have been ineffective as well. For example, use of drugs among teens in America is skyrocketing. At least a third of high school seniors have used illegal substances and we're seeing drug use start as early as the sixth grade. According to the Community Anti-Drug Coalitions of America, overall use of drugs among youth aged 12 to 17 rose 78 percent between 1992 and 1995. Marijuana use is up 105 percent since 1992 and cocaine use rose 166 percent between 1994 and 1995.¹⁷

Results would indicate then that current efforts toward unilateral attacks on the supply and/or demand problem are simply not working. As we continue to debate the virtues of either supply or demand reduction efforts

and whether producers or consumers are responsible for the world's current drug crisis, the situation worsens.

THE IMPACT OF A CONTINUED UNILATERAL SUPPLY AND DEMAND REDUCTION STRATEGY

It's very important to recognize that any success realized by either unilateral supply or demand reduction efforts will be short term. The U.S. may realize fewer drugs coming across its borders. However, it's highly unlikely that there is any chance of unilaterally reducing the supply to a point that even the current high demand could not be met. Let's say that by some remote possibility, the supply from the source countries is totally shut off. Where there is a will, there is a way. Where there is a demand, there will be a supply. If the drugs do not come from outside the U.S., they will come from within in the form of synthetic drugs like methamphetamine, phencyclidine (PCP), and lysergic acid diethylamide (LSD). These drugs have already been labeled "the drug control nightmare of the next century."¹⁸ They are cheap and relatively easy to produce and they have been available for years. At best, they would simply replace cocaine and marijuana. In fact, the U.S. is one of the world's leading producers of methamphetamines and produces at least one-third of the marijuana consumed in the U.S.¹⁹ So, if the U.S. chooses to focus only on foreign supply reduction and ignores domestic demand reduction efforts, the desired outcome will be short lived if realized at all.

The drug producing and trafficking countries will realize similar results if they choose to only focus on the U.S. demand problem and ignore the supply problem. In the short term, they may enjoy the income and improvements to their country's infrastructure, peaceful drug lords, and placated peasant cocoa farmers. However, the long term effects will be devastating to them. Their governments are already corrupted by the power wielded by the drug cartels. Their stability and the very sovereignty they

seek so hard to keep other countries, particularly the U.S., from violating is at stake. The drug cartels will continue to use corruption and intimidation against legitimate governments to achieve their goals. They have evolved to become more sophisticated and brazen over time, shifting their sights from local police to high level judicial officials and politicians and obstructing or destroying drug control efforts at the top. The cartels are able to exert enormous pressure through corruption or even assassination of high-ranking justice officials and members of Congress who are in a position to legislate and administer anti-drug laws. Further, their vast wealth gives them the capability to control the media, business, banking, and other key functions. Again, while the drug producing countries enjoy the attractive short term outcomes of continued drug production and trafficking, the second and third order effects will result in the democratically elected government, and hence the citizens, never achieving control of their own destiny or sovereignty. The only sovereign entities will be the powerful drug cartels.

APPROACHING THE PROBLEM FROM SOLELY A NATIONAL PERSPECTIVE

Again, it's not that efforts to reduce supply and demand are wrong, or that the interdiction, eradication, enforcement, education, or rehabilitation tactics in themselves are ineffective, it's the uncoordinated, unilateral way in which we have approached the whole problem.

One of the most significant flaws in our approach to resolving the illegal drug problem is to see it as solely an issue of national interest. Policy makers, particularly U.S., must guard against this reoccurring tendency. Americans tend to view issues only from our perspective and our culture. Just as we often fail to consider the Middle East perspective and culture when dealing with the critical peace process and other issues in that region, we fail to consider the perspective and culture of the drug producing countries when dealing with the drug problem.

RESOLVING INTERNATIONAL ISSUES THROUGH INTERNATIONAL COOPERATION

Since the end of the cold war, we have seen an increased interest in the role of coalitions, international institutions, and *international cooperation*. Along with the end of the cold war, the expansion of democratic governments, and the growth of the information age, have come phrases like global market economy, global environment, multinational organizations, and coalition partners. We are increasingly dealing with problems like the proliferation of weapons of mass destruction, conserving the global environment, protecting the world's oil supply, relieving world hunger, and peace keeping through *international cooperation*. One could almost refer to international cooperation as a modern phenomenon. It provides an essential frame of reference for looking at global issues. Issues that, while seemingly isolated to one or two nations, impact many nations and indeed the entire world. Its effectiveness in resolving critical international issues is proven.

The drug problem is an international issue that has reached the critical stage. Since past efforts to correct the situation have been much less than successful, it may prove beneficial to reexamine the problem from another angle. We need to shift the emphasis of our drug strategy from independent unilateral attacks on supply reduction to a strategy which stresses foreign policy and *international cooperation*. True, intense, serious cooperation between governments is the only viable means to a long term solution in the fight against illegal drugs.

International threats, that is threats to other governments and economies, rebounds on U.S. security interests because the well-being of other nations is important to the United States in a global economy. We need to think on the global scale, to see things in terms of economic and political systems. In an interdependent world, the economic and political well-being of any one country can help or hinder the well-being of another. Likewise, any

action taken by one nation internally will not be as effective as action taken by all the countries. The drug threat is an international issue.²⁰ It is not just a threat to U.S. security interests, it's a threat to international security interests in such a way that there is the danger of harm to the entire globe if not dealt with and dealt with decisively through international cooperation.

When it became necessary to protect the world's oil supply, neither the US, Kuwait, nor any other nation sought to accomplish that task unilaterally. It was accomplished through international cooperation, a coalition. We have also seen that only international cooperation is effective in reducing global, and thereby unilateral, threats to human well-being, such as controlling weapons of mass destruction and conserving the global environment. The drug problem is no different. If we are to experience any degree of success, it will be through serious international cooperation brought about by an effective and conducive foreign policy that strives to satisfy international interests.

COOPERATION DOESN'T DEPEND ON COMMON INTERESTS

Common interests do not necessarily mean the same interest. For example, source country interests may be the financial well-being of the government and it's people; internal as well as external security; and a favorable trade balance. Consumer country interests may be to halt the flow of drugs across its borders, and to reduce or eliminate drug use and it's effects. While these interests are not the same, depending on how they are dealt with in the international cooperation arena, they can be common interests. The important aspect here is that both side's interests must be respected and viewed as important by both parties to the point that each side works hard to see that the interests of the other are achieved or at least do not conflict with theirs.

Cooperation can succeed despite conflicts of interest between nations or governments. Cooperation only requires that nations invest in a "mutual policy adjustment" in which the governments mutually change and/or coordinate their policies to facilitate the attainment of both side's individual goals.²¹ This is precisely the case in the drug problem. The interests of the consumer country are to reduce the demand for drugs and rid their country of drugs through the reduction or elimination of the supply. However, the interests of the drug producing country are markedly different. For the destitute farmer, his drug crop, the crop we are looking to eliminate, is his livelihood. If his livelihood is threatened or impacted, he is unhappy, goes hungry, and the government must now support him. This situation causes instability in the source country government. This is obviously a conflict of interest.

We must be realistic in this effort toward international cooperation. As is the case with source countries and consumer countries, the two sides may, and in fact do, have conflicting interests. One may need and therefore grow a cash crop that is undesirable to the other country; the solution is not for the first country to do without a cash crop for the benefit of the second, but for the two countries, through cooperation, to find a mutually beneficial solution that will serve each others needs.

WHY SHOULD SOURCE COUNTRIES COOPERATE IN THE ERADICATION OF DRUGS?

One question we must ask ourselves when considering the international cooperation strategy against drugs is what does each side have to gain? And, perhaps most importantly, what does the global community have to gain? We already know why we should cooperate. If successful, U.S. self interests are satisfied by eliminating a whole myriad of domestic problems already discussed.

But, why should the drug producing and trafficking countries cooperate? If supply and demand reduction are successful, what is the outcome from their

perspective? They lose income. How much? For Colombia alone, estimates are as high as \$4 billion a year.²² While much of that money supports drug cartel and organized crime leaders, some of it goes into the legitimate infrastructure of the country in the form of construction and other businesses which in fact produce legitimate income. How does the government then replace that lost income? In addition, the indigent farmers who grow the drug crops lose their source of income. How do they replace that income and how does the government support them if it's not replaced? On the surface then, it does not appear to be in the best interest of the source countries to cooperate in a strategy that will produce those results.

To better understand international cooperation, one could look at it as a game played for a "win-win" solution. In most games, there is a winner and a loser. In the drug game as it is now played, if the U.S. wins, the source country loses. And if the source country wins, the U.S. loses. In a global environment, neither is desirable. For the good of both sides and indeed the entire world, the end of the game must result in a win-win scenario.

In the context of the drug problem, the U.S. defines winning in a number of ways: a significant reduction in illegal drugs entering the US; a significant reduction in demand for illegal drugs amongst the U.S. population; and, a significant reduction in drug related crime and associated problems. On the other hand, the source countries must achieve their goals too. On Maslow's hierarchy of needs, they are still striving to survive. They want to realize a stronger economy and a more stable government devoid of the influence of powerful drug cartels and corrupt politicians. A win-win outcome can only be achieved through collaboration, mutual policy adjustment, and international cooperation.

CONCEPTS OF INTERNATIONAL COOPERATION

Robert Axelrod, in *The Evolution of Cooperation*, describes a number of concepts or theories about the strategy of international cooperation. The first concept is labeled "shadow of the future" and contends that a particular country or government cares about the future and anticipates gaining long-term benefits from cooperation and will avoid the temptation to participate in negatively perceived behaviors (drug production and trafficking) to gain short-term benefits.²³

Of course, a strategy such as this depends heavily on an *international infrastructure* to dole out the rewards and punishments for desirable and undesirable behaviors. In addition, the participants must be able to detect a difference in the treatment of those who cooperate and those who do not. The USAWC refers to this concept as the rational actor model. The basic premise that governments will only cooperate if their perceived benefits exceed the costs they will have to bear. In order for bilateral or multilateral international cooperation to work, each state must believe that it gains by displaying the desired behavior and cooperation. If one state is perceived to gain all the benefits, as is the perception with the U.S. today, while other states bear all of the costs, as is the case with the source countries today, then there is no rational reason for the later to cooperate. Again, this is where a strong, respected, international institution is required to exercise leadership and administration of a cohesive and well-coordinated international drug strategy.

One final concept that applies to the U.S. is the concept of "hegemonic stability," or the predominant influence of one nation. The hegemonic stability concept states that international cooperation is enhanced when it is supported by a dominate power.²⁴ As in any organization, the effort falls apart without strong leadership. Further, in this dominate role, the hegemone

bears many of the costs, both literal and figurative, of administering the policy. The U.S. is no stranger to this role.

If the U.S. is assumed to be the hegemon, it must guard against only considering its interests or at least portraying this to others. A responsible hegemon should be concerned with the interests of all sides. If the U.S. plays the dominant role and overly represents its self interests, it can force producer countries to cooperate whether it does or not. This will not satisfy global interests however. I say this applies to the U.S. because the U.S. currently performs this role in many other international or multilateral coalition endeavors. But it does not have to be the U.S. and possibly should not be. I believe that a very strong international institution, perhaps the United Nations, guided by a cohesive and well-coordinated international drug strategy, could fulfill this role very well. In fact, from the perspective of both the U.S. and producer countries, this may be more preferable and effective.

THE INTELLECTUAL PROPERTY RIGHTS ISSUE

"Creative thinking" is a method used for problem solving. And one of the tools of creative thinking is "analogy," where one compares the problem at hand (the drug problem) with a similar but different problem. The Intellectual Property Rights (IPR) issue is similar in many respects to the drug problem. In this analogy, if one problem was successfully resolved using a set of solutions, it stands to reason that a similar set of solutions could be used to successfully resolve a similar problem. If the hypothesis is true, then solutions used in the resolution of the IPR dilemma could prove successful in the resolution of the drug problem.

Let us compare the illegal drug problem with the U.S./China Intellectual Property Rights (IPR) issue. By way of explanation, intellectual property rights pertains to international standards in copyrights and patents. There

was a conflict between the U.S. and China over IPR that was resolved in 1995 primarily through international cooperation.

Last year, China exported approximately 50 million pirated compact disks, video cassettes, and laser disks to the rest of world. In Hong Kong, \$10,000 computer software packages could be purchased for as little as \$5. Pirated versions of *Microsoft Windows '95* were on sale in China before it was introduced in the United States and motion picture videos were available before opening night.²⁵

How we dealt with China and the rest of the international community on the IPR issue is vitally important, and it closely relates to the drug problem. Americans have a commercial interest in China. Exports to China account for at least 160,000 American jobs.²⁶ Further, ramifications of the IPR issue could have an effect on equally important but unrelated issues like human rights and non-proliferation of weapons of mass destruction.

In addressing the IPR issue, Charlene Barshefsky, US Trade Representative stated, "When other countries do not live up to their obligations [and basic international norms], we will take action." Further, President Clinton affirmed that "We must enforce our trade laws and our trade agreements with all the tools and energy at our disposal."²⁷ To accomplish this task in cooperation with China, *The 1995 Intellectual Property Rights Agreement*, signed in Beijing, "commits China to taking strong measures to curb piracy -- particularly of computer software, audio visual works, and trademarks."²⁸

The agreement outlined key actions in four specific areas to remedy the IPR dilemma. First, it addressed the factories involved in the production of the pirated commodities. It targeted strategic points and tasked the Chinese government to close down these factories. In response, China shut down 15 illegal compact disk factories in the first 16 months and prohibited the establishment of any new CD plants.²⁹

Sustained enforcement was addressed next. The Chinese were tasked to intensify enforcement in areas of China where illegal retail and distribution business were rampant. While China has successfully raided retail establishments, manufacturers and distributors have been less affected. When arrests are made, penalties are not yet sufficient to effectively deter piracy. Many pirates consider fines and penalties part of the cost of doing business. However, China is making progress announcing a sustained crackdown on illegal producers, distributors, and transporters.

The third action targeted *border enforcement*, attempting to stop the flow at China's borders, particularly bulk shipments. Chinese customs officials agreed to intensify efforts against not only the export of pirated products but also the import of unauthorized CD production equipment.

Finally, and perhaps more difficult to relate to the drug issue, China was challenged to permit *market access* for U.S. computer software, sound recording, and motion picture products and companies.

The specific areas of the IPR strategy when compared to the illegal drug issue, should sound familiar. The illegal software *factories* are analogous to the major drug manufacturing plants and crop eradication in the source countries. The *enforcement* piece corresponds to wholesale and retail drug traffickers. And, the reference to *border enforcement* parallels drug interdiction efforts.

USING THE IPR MODEL AS A SOLUTION TO THE DRUG PROBLEM

There are three "pillars of strength" in the IRP model (Figure 1) that contributed to the successful resolution of the IPR issue -- (1) an agreement, (2) punitive sanctions, and (3) incentives and opportunities. Similar ingredients are available for resolution of the drug issue. Compare the similarities.

The first pillar for the successful resolution of the IPR issue was the 1995 IPR Agreement. The IPR agreement addressed four specific areas, each with measurable quantitative and qualitative goals and objectives -- factories, sustained enforcement, boarder enforcement, and market access. Similarly, there are various drug related agreements and treaties, some current, and some dating back to the early 1900's like the 1909 Shanghai Opium Commission.³⁰ There are four current agreements however that could easily serve as a basis for a pillar in the resolution of the drug problem. These are *The 1988 U.N. Convention on Drug Trafficking*; *The Cartegena Agreement*; *The International Narcotics Control Strategy*; and *The 1996 National Drug Control Strategy* developed by The Office of National Drug Control Policy (ONDCP).

In addition, to a comprehensive agreement, resolution of the IPR issue relied heavily on the threat of punitive economic and trade sanctions, the second pillar and area of similarity between the IPR model and the drug problem. Again, let's compare similarities. Punitive threats in the IPR model included \$3 billion in possible sanctions -- \$2 billion in tariffs and another \$1 billion in tariff rollbacks. It's important to point out that sanctions are complex and come with inherent risks. Angered by U.S. sanctions, China's premier hinted that he would steer coveted contracts to Europe. From that, the U.S. realized that "acting unilaterally is no longer as effective as it once was" and that "our chances for greater leverage and fewer crises come from being able to build coalitions."³¹ And, in the spirit of international cooperation, the imposition of sanctions was supported by the international community. Seventy-one percent of the international community to include all those polled in South Korea and 86.4 percent in Thailand said U.S. sanctions were justified.³² In the end, it was clear to Beijing's senior leaders that without stable ties with the U.S., China's biggest export market, their economy would be in trouble.³³

Similar sanction possibilities are available for use in resolving the drug problem and are provided for in the existing certification-decertification process which is a part of the Foreign Assistance Act of 1961 and The International Narcotics Control Act of 1996. Under the provisions of these acts, drug producing and trafficking countries are required to certify that they are fully cooperating in the "war on drugs." Decertification requires the administration to cut off financing and to oppose loans and aid to the source countries from the Export-Import Bank, The World Bank, the IMF, and The Inter-American Development Bank. In addition, it allows for the imposition of tariffs on source country exports.³⁴ Just as the threat of sanctions was effective in resolving the IPR issue, the certification process and related sanctions can be a powerful impetus for countries to undertake the necessary counter narcotics efforts and to cooperate in those efforts with the U.S.³⁵

While these punitive sanctions constitute negative reinforcement, the third pillar of the IPR model provides positive reinforcements in the form of incentives and opportunities. The IPR resolution relied on China's Most Favored Nation (MFN) trade status incentive and the opportunity for membership in the World Trade Organization (WTO). Together, these incentives and opportunities amounted to billions of dollars annually for China. Just as the IPR resolution used the MFN and WTO incentives, the drug resolution could use membership in the North American Free Trade Agreement (NAFTA), the Western Hemisphere Free Trade Area (WFTA), and the Free Trade Area of the Americas (FTAA) as incentives to gain cooperation on the drug problem. Canada, Mexico, and the United States are currently reaping the benefits of a young NAFTA and membership appears postured to spread south. Chile will more than likely be the next new member. The desire is to create a "partnership for prosperity" or a free-trade zone that stretches from Alaska to the tip of Argentina.³⁶ Leaders of the Western Hemisphere's 34 democracies, recently gathered to discuss the opportunities. The Presidents of Bolivia, Colombia, Ecuador, and

Peru, the four largest drug producing and trafficking nations, were in attendance.³⁷ As in NAFTA, membership will be based on price stability, budget discipline, market-oriented policies, and a functioning democracy.³⁸ Those requirements could easily be expanded to include counter narcotics provisions. And, once a member, those countries would be under concerted international pressure to play by established rules.

Two final notes on international cooperation and the IPR solution. As a result of patching up differences over intellectual property rights, China and the U.S. also resolved a dispute over China's sale of nuclear technology to Pakistan -- an unexpected added benefit.³⁹ And, as an analogy that drug trafficking could negatively impact source countries -- Software piracy led to the formation of special interest groups in China who supported the IPR measures because China's own publishing, software, and music industries were taking even bigger hits from the pirates than their U.S. counterparts.⁴⁰ The point is that international cooperation can produce some very positive results.

The remaining two components of the IPR model are the *international body* to provide policy, execution, and oversight and the foundation or principles of *international cooperation*, and as in any structure, the roof and the foundation are critical. Both have been previously addressed and will receive further attention in the conclusions and recommendations.

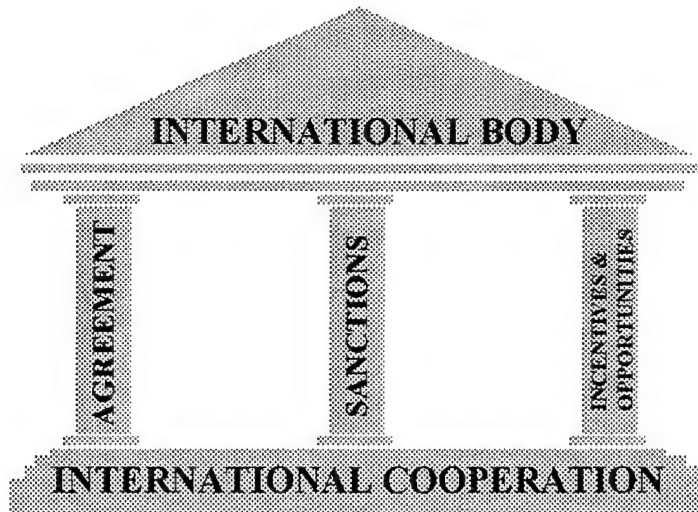


Figure 1

CONCLUSIONS AND RECOMMENDATIONS

The drug problem is inflicting staggering economic, political, and social costs on the U.S. and other countries. This issue is so vitally important it is addressed in our nation's National Security Strategy as a threat to our national security. Past and current efforts to resolve the problem have focused principally on unilateral supply and demand reduction strategies and have met with minimal success. Continued efforts along these lines will result in short term gains at best. Supply and demand reduction efforts are important, but how they are pursued is even more critical. Post cold-war issues from the proliferation of weapons of mass destruction to protecting the world's oil supply are best dealt with on a multinational, coalition basis with the principles of international cooperation as a foundation. The drug problem is no different. International cooperation does not demand that drug producing countries and drug consumer countries have the same interests. It only demands that both side's interests are satisfied through mutual cooperation. International cooperation can lead to a "win-win" outcome in the fight against drugs.

A comparison of the illegal drug problem with the successful resolution of the International Property Rights (IPR) issue reveals some interesting parallels. The IPR issue was resolved using the combination of a comprehensive agreement, punitive sanctions, and incentives and opportunities. These efforts were executed employing the principles of international cooperation. This can be graphically portrayed as a building or structure. The three pillars are formed by an agreement, sanctions, and incentives and opportunities. The roof, or oversight, is provided by a single globally recognized international body. And of course, the structural foundation is formed by the principles of international cooperation.

Most of the structural components already exist and can be effective in resolving the drug crisis with recommended improvements. There are four current agreements that could easily serve as the basis for the "agreement" pillar in the resolution of the drug problem. However, there are overlapping and repetitive areas between these four agreements. A recommendation would be to integrate these documents into one comprehensive international drug control agreement. Like *The 1995 IPR Agreement* and ONDCP's strategy, the new agreement must consist of a comprehensive set of specific, measurable goals and objectives with quantitative and qualitative indicators to track progress.⁴¹

Current certification-decertification sanctions can be effective with requisite attention to second and third order effects. We may consider sanctions against consumer countries who do not demonstrate adequate demand reduction efforts. NAFTA, WFTA, and FTAA provide effective incentives and opportunities.

There are currently over fifty multi-layered drug control agencies with overlapping responsibilities. As with the agreements, these should be reorganized under a globally recognized international body, most likely the United Nations Drug Control Program (UNDCP).

And finally, we must be ever mindful of the foundation of international cooperation.

ENDNOTES

¹ The White House, The National Drug Control Strategy: 1996, 98.

² James Kitfield, "Drug Warrior," Government Executive, August 1996, 16.

³ Timothy E. Wirth, "International Narcotics Control Strategy Report Released." US Department of State Dispatch, (March 13, 1995): 195-197. UMI ProQuest, Periodical Abstracts, 195.

⁴ Raphael F. Perl, ed. Drugs and Foreign Policy: A Critical Review. Boulder, CO: Westview Press, 1994, 41.

⁵ Ibid., 42.

⁶ National Defense University. Strategic Assessment 1997: Flashpoints and Force Structure. Washington: Institute for National Strategic Studies, 1997, 215.

⁷ Ibid.

⁸ Ibid.

⁹ Raphael F. Perl, ed. Drugs and Foreign Policy: A Critical Review. Boulder, CO: Westview Press, 1994, 44.

¹⁰ Ibid., 45.

¹¹ Mathea Falco, "U.S. Drug Policy: Addicted to Failure." Foreign Policy (Spring 1996): 120-133. UMI ProQuest, Periodical Abstracts, item 02751119, 120.

¹² Ed Scherr, "Critical Targets." July 1996.
<<http://www.usia.gov/journals/itgic/0796/ijge/ejfec4.htm>>. January 30, 1997, 2.

¹³ National Defense University. Strategic Assessment 1997: Flashpoints and Force Structure. Washington: Institute for National Strategic Studies, 1997, 215.

¹⁴ Mathea Falco, "U.S. Drug Policy: Addicted to Failure." Foreign Policy (Spring 1996): 120-133. UMI ProQuest, Periodical Abstracts, item 02751119, 122.

¹⁵ Donald E. Nuechterlein, "National Interest as a Basis of Foreign Policy." in Course 2: War, National Policy & Strategy, Readings Volume I. Department of National Security and Strategy, U.S. Army War College, Carlisle Barracks, PA, 28 August-18 October 1996, 80-81.

¹⁶ Mathea Falco, "U.S. Drug Policy: Addicted to Failure." Foreign Policy (Spring 1996): 120-133. UMI ProQuest, Periodical Abstracts, item 02751119, 121.

¹⁷ "The International Narcotics Control Act of 1996." Linked from The Congressional Record Online. <http://www.gpo.ucop.edu/cgi-bin/gp...ata/1996_record/cr05se96.dat.wais>. December 17, 1996, 1.

¹⁸ Ibid., 2.

¹⁹ Peter H. Smith, ed. Drug Policy in the Americas. Boulder, Westview Press, 1992, 7.

²⁰ Jim Fuller, "Global Cooperation Vital In Addressing Drug Concerns." July 1996. <<http://www.usia.gov/journals/itgic/0796/ijge/ejfocl.htm>>. January 30, 1997, 2.

²¹ Peter H. Smith, ed. Drug Policy in the Americas. Boulder, Westview Press, 1992, 250.

²² Ibid., 70.

²³ Ibid., 251-253.

²⁴ Ibid., 252-256.

²⁵ Charlene Barshefsky, "U.S.-China Relationship." US Department of State Dispatch, June 17, 1996, 324.

²⁶ Ibid.

²⁷ Ibid.

²⁸ Paul Kullman, "Intellectual Property Rights Enforcement Agreement Commits China to Strong Measures to Curb Piracy." Business America. 10.

²⁹ Warren Christopher, "Recent Foreign Policy Developments." US Department of State Dispatch, June 24, 1996, 329.

³⁰ Peter H. Smith, ed. Drug Policy in the Americas. Boulder, Westview Press, 1992, 282.

³¹ Amy Borrus and Joyce Barnathan, "It's Time to Get China Into the WTO." Business Week, July 1, 1996, 48.

³² "Asian Executives Poll," Far Eastern Economic Review, June 13, 1996, 32.

³³ Amy Borrus and Dexter Roberts, "China and the U.S. Turn a Tempest into a Tea Party." Business Week, July 15, 1996, 53.

³⁴ "Clinton Punishes Columbia Over Drug Trafficking." Congressional Quarterly Weekly Report, March 2, 1996, 586.

³⁵ Thomas A. Constantine, "Certification of Drug Producing & Transit Countries in Latin America." March 7, 1996. <<http://www.alternatives.com/crime/DEACERT.HTML>>. November 6, 1996, 7.

³⁶ "Fulfilling the Summit Promise: Hemispheric Commercial Integration." Business America, August 1996, 8.

³⁷ "Summit of the Americas." US Department of State Dispatch, September 26, 1994, 647-648.

³⁸ Paul Magnusson, "With Latin America Thriving, NAFTA Might Keep Marching South." Business Week, July 25, 1994, 20.

³⁹ Amy Borrus and Dexter Roberts. "China and the U.S. Turn a Tempest into a Tea Party." Business Week, July 15, 1996, 53.

⁴⁰ "Piracy: Get Ready for a Long Fight." Business Week, June 17, 1996, 152.

⁴¹ Raphael F. Perl, ed. Drugs and Foreign Policy: A Critical Review. Boulder, CO: Westview Press, 1994, 53.

SELECTED BIBLIOGRAPHY

- Alley, James. "Economic Intelligence: Expanding Trade." Fortune, August 22, 1994, 24.
- Aronson, Bernard W. "Building International Cooperation To Fight Illicit Drug Trafficking." US Department of State Dispatch, March 2, 1992, 154.
- "Asian Executives Poll." Far Eastern Economic Review, June 13, 1996, 32.
- Auster, Bruce and Gloria Borger. "Two Views of the Battle from the Top." U.S. News & World Report, (September 30, 1996): 36. UMI ProQuest, Periodical Abstracts, item 02991474.
- Baker, James. "Narcotics: Threat to Global Security." United States Department of State, Current Policy No. 1251. February 20, 1990, 1-3.
- Barnathan, Joyce and Amy Borrus. "China Shoves Back." Business Week, May 6, 1996, 48-49.
- Barshefsky, Charlene. "U.S.-China Relationship." US Department of State Dispatch, June 17, 1996, 324-325.
- Borrus, Amy and Joyce Barnathan. "It's Time to Get China Into the WTO." Business Week, July 1, 1996, 48.
- Borrus, Amy and Dexter Roberts. "China and the U.S. Turn a Tempest into a Tea Party." Business Week, July 15, 1996, 53.
- Brooks, Stephen C. "Drug Policy in the Americas." <http://www.fsu.edu/-spap/orgs/apsa/vol3_no2/brooks.html>. September 16, 1996.
- Bush, George. "Two Years After Cartagena: Assessing Accomplishments and Plans." US Department of State Dispatch, (March 2, 1996): 145-153. UMI ProQuest, Periodical Abstracts, item 01032310.
- Christopher, Warren. "Recent Foreign Policy Developments." US Department of State Dispatch, June 24, 1996, 324-329.
- "Clinton Punishes Columbia Over Drug Trafficking." Congressional Quarterly Weekly Report, March 2, 1996, 586.
- Constantine, Thomas A. "Certification of Drug Producing & Transit Countries in Latin America." March 7, 1996. <<http://www.alternatives.com/crime/DEACERT.HTML>>. November 6, 1996.
- Falco, Mathea. "U.S. Drug Policy: Addicted to Failure." Foreign Policy (Spring 1996): 120-133. UMI ProQuest, Periodical Abstracts, item 02751119.
- Fisher, Jennifer. "Ahead: A Southbound NAFTA." U.S. News & World Report, December 19, 1994, 10.
- Flynn, Stephen E. and Gregory M. Grant. The Transnational Drug Challenge and the New World Order. Washington: The Center for Strategic & International Studies, January 1993.

- "Fulfilling the Summit Promise: Hemispheric Commercial Integration." Business America, August 1996, 8-9.
- Fuller, Jim. "Global Cooperation Vital In Addressing Drug Concerns." July 1996. <<http://www.usia.gov/journals/itgic/0796/ijge/ejfoc1.htm>>. January 30, 1997.
- "International Narcotics Control Strategy Report." July 1996. <<http://www.usia.gov/journals/itgic/0796/ijge/ejinfo2.htm>>. January 30, 1997.
- Kitfield, James. "Drug Warrior," Government Executive, August 1996, 16.
- Kullman, Paul. "Intellectual Property Rights Enforcement Agreement Commits China to Strong Measures to Curb Piracy." Business America. 10.
- Magnusson, Paul. "With Latin America Thriving, NAFTA Might Keep Marching South." Business Week, July 25, 1994, 20.
- National Defense University. Strategic Assessment 1997: Flashpoints and Force Structure. Washington: Institute for National Strategic Studies, 1997, 213-221.
- Nuechterlein, Donald E., "National Interest as a Basis of Foreign Policy." in Course 2: War, National Policy & Strategy, Readings Volume I. Department of National Security and Strategy, U.S. Army War College, Carlisle Barracks, PA, 28 August-18 October 1996, 72-84.
- Perl, Raphael F., ed. Drugs and Foreign Policy: A Critical Review. Boulder, CO: Westview Press, 1994.
- "Piracy: Get Ready for a Long Fight." Business Week, June 17, 1996, 152.
- "Report of the International Narcotics Control Board for 1995." <<http://www.undcp.org/reports/incb95/incb95en.htm#IIA2>>. November 6, 1996.
- Scherr, Ed. "Critical Targets." July 1996. <<http://www.usia.gov/journals/itgic/0796/ijge/ejfoc4.htm>>. January 30, 1997.
- Shenk, Joshua Wolf. "The Phony Drug War." The Nation, September 23, 1996, 11-14.
- Smith, Peter H., ed. Drug Policy in the Americas. Boulder, Westview Press, 1992.
- Stares, Paul B., Global Habit: The Drug Problem in a Borderless World. Washington: Brookings Institution, 1996.
- "Summit of the Americas." US Department of State Dispatch, September 26, 1994, 647-648.
- "The International Narcotics Control Act of 1996." Linked from The Congressional Record Online. <http://www.gpo.ucop.edu/cgi-bin/gp...ata/1996_record/cr05se96.dat.wais>. December 17, 1996.
- "The War on Drugs: a position paper." <<http://www2.druginfo.org/orgs/dsi/IntPolicy/nahas.html>>. December 17, 1996.

The White House, The National Drug Control Strategy: 1996.

Wirth, Timothy E. "International Narcotics Control Strategy Report Released."
US Department of State Dispatch, (March 13, 1995): 195-197. UMI
ProQuest, Periodical Abstracts.